

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL REVISION APPLICATION No 82 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE S.D.DAVE

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1. Whether Reporters of Local Papers may be allowed  
to see the judgements? No

2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy  
of the judgement? No

4. Whether this case involves a substantial question  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?  
No

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HARSHADBHAI N SHAH

Versus

F G SHAIKH

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Appearance:

MR AMIT J SHAH for Petitioner

MR RAVI R TRIPATHI for Respondent No. 1

MR. K.C.SHAH,LD.PUBLIC PROSECUTOR for Respondent No. 2

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CORAM : MR.JUSTICE S.D.DAVE

Date of decision: 26/07/96

ORAL JUDGEMENT

I have heard learned counsel Mr. Amit Shah for  
the petitioner, Mr. Ravi R. Tripathi for Respondent  
No.1, the Ld. JMFC and Ld. Government Counsel Mr. K.C.  
Shah for Respondent No.2 State.

The picture being presented by the present proceedings does not appear to be in a good taste. Without dwelling upon the facts, in the background of the present Criminal Revision Application, I would only say that, something unsavory had taken place in the Court of Respondent No.1. The petitioner was at the relevant time working as Assistant Public Prosecutor. A notice was given to him and it appears that the petitioner said Sorry in writing. Even thereafter, it appears that, the Respondent No.1 preferred to give him a warning. The chapter could have been closed. After that, the Respondent No.1 preferred to say that the matter would be live on his file.

Upon hearing learned counsel for the petitioner, it appears that the petitioner had said sorry in writing and that should have put a quietus to the entire matter. Nothing more was required to be done, excepting the discharge of the notice. As it has not been done by the Respondent No.1, I would prefer to say that the said notice shall stand discharged. When the notice stands discharged, the consequential orders also would vanish along with the same. Present proceedings are disposed of in the above said manner. Rule is made absolute accordingly.

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